

OFFICIAL MINUTES
MEETING OF THE STATE BOARD OF EDUCATION
BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO
TRUSTEES OF IDAHO STATE UNIVERSITY
TRUSTEES OF LEWIS-CLARK STATE COLLEGE
TRUSTEES OF BOISE STATE UNIVERSITY
STATE BOARD FOR PROFESSIONAL TECHNICAL EDUCATION
TRUSTEES FOR THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND

March 16-17, 2000
Boise State University
Boise, Idaho

The meeting notice was posted and distributed in compliance with Idaho Open Meeting Law requirements. With a quorum present, the meeting was lawfully convened at 8:00 a.m., on March 16, 2000, with Mr. Harold W. Davis, President of the State Board of Education and Board of Regents of the University of Idaho, presiding.

Members Present

Harold W. Davis, President
Tom Boyd, Vice President
Curtis H. Eaton, Secretary
James C. Hammond
Severina Haws
Marilyn Howard, State Superintendent of Public Instruction
Roderic W. Lewis
Karen A. McGee

Members Absent

All exhibits, appendices and items referenced in these minutes are on file as permanent exhibits with the Office of the State Board of Education.

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Compensated days for members of the State Board of Education/Board of Regents of the University of Idaho for the month of March, 2000.

<u>James Hammond</u>	<u>Days</u>	<u>Curtis H. Eaton</u>	<u>Days</u>
03/01,03,15-17,28	5.0	03/03	1.0
<u>Severina Haws</u>	<u>Days</u>	<u>Tom Boyd</u>	<u>Days</u>
03/03, 15-17, 28	4.5	03/03,15-17,28	4.5
<u>Harold W. Davis</u>	<u>Days</u>	<u>Karen McGee</u>	<u>Days</u>
03/03	1.0	03/03,15-17,27,29-31	10.0
<u>Rod Lewis</u>	<u>Days</u>		
03/03, 15-17	4.0		

Non-compensated days for members of the State Board of Education/Board of Regents of the University of Idaho for the month of March, 2000.

<u>Curtis H. Eaton</u>	<u>Days</u>	<u>Marilyn Howard</u>	<u>Days</u>
03/15-17, 27, 28	4.5	03/03,15-17, 28	4.5
<u>Harold W. Davis</u>	<u>Days</u>		
03/15-17, 28	3.5		

Among the persons meeting with the State Board of Education/Board of Regents of the University of Idaho were:

Office of the State Board of Education

Gregory G. Fitch, Executive Director
Robin A. Dodson, Chief Academic Officer
Kevin Satterlee, Chief Legal Officer
Keith Hasselquist, Chief Fiscal Officer
Mike Killworth, Policy and Planning Officer
Laurie Boston, Public Information Officer
Nancy Szofran, Learning Technology Officer

State Department of Education

Robert West, Chief Deputy Superintendent
Don Robertson, Chief Legal Officer
Allison Westfall, Public Information Officer

Idaho Public Television

Peter Morrill, General Manager

Idaho School for the Deaf and the Blind

Ron Darcy, Superintendent

Division of Professional-Technical Education

Mike Rush, Administrator
Kirk Dennis, Chief Fiscal Officer

Idaho Division of Vocational Rehabilitation

Floyd Young, Administrator
Richard Sloneker, Chief Fiscal Officer

Boise State University

Charles Ruch, President
Daryl Jones, Provost
Harry Neel, Financial Vice President & Bursar
Brent Winiger, Budget Officer

Eastern Idaho Technical College

Miles LaRowe, President
Luke Robbins, Dean of Instruction
Robert Smart, Finance Officer

Idaho State University

Richard L. Bowen, President
Jonathan Lawson, Academic Vice President
Ken Prolo, Interim Financial Vice President

Lewis-Clark State College

James W. Hottois, President
Rita Rice Morris, Provost/Vice President for Academic Affairs
Dean A. Froehlich, Financial Vice President

University of Idaho

Robert A. Hoover, President
Brian L. Pitcher, Provost, Academic Affairs
Jerry Wallace, Financial Vice President

College of Southern Idaho

Gerald Meyerhoeffer, President,
Gerald Beck, Vice President of Instruction
J. Mike Mason, Dean of Finance

North Idaho College

Michael Burke, President
Jerry Gee, Dean of Instruction
Rolly Jurgens, Dean of Administration

Idaho State Historical Society

Steve Guerber

Others

Caryl Smith
Stacey Pearson
David O Neill
Jack Pelton
Tom Farley
Larry Norton
Tom Ressler
Blake Walsh

BOARDWORK

1. Oaths of Office

Mr. Tom Boyd administered the Oath of Office to Mr. Harold W. Davis, who was reappointed to serve a term from March 1, 2000 through March 1, 2005.

Mr. Harold W. Davis administered the Oath of Office to Mr. Roderic Lewis, who was appointed to serve a term from March 1, 2000 through March 1, 2005

2. Agenda Approval

It was moved by Ms. McGee, seconded and carried (8-0) to approve the agenda for the March 16-17, 2000 State Board of Education meeting, with the following addition: (Motion #1)

1. March 16, 1:15pm, addition of an discussion/action item encouraging JFAC to revisit some of the budgets and ask JFAC to consider giving full funding to public education, as requested by the SBOE.

3. Rolling Calendar

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (8-0) to approve March 19-20, 2001 as the dates and Boise State University as the location of the March, 2001 regularly scheduled Board meeting. (Motion #2)

4. Information

Board members were asked to contact the Board secretary regarding which commencement/graduation ceremonies they would be attending.

Boardwork materials on file as Exhibit #1 with the Office of the State Board of Education.

PERSONNEL/STUDENT AFFAIRS COMMITTEE

1. Minutes of the January, 2000 Meeting

The minutes were approved in committee with the notation that the \$75,000 requested by IPTV was for programming and not airing costs.

2. Routine Institution/Agency Agenda Items

Dr. James Hottois asked that Item 2.34 (Page 39 of P/SAC agenda), the Position of Dean, Technical College, be pulled.

It was moved by Mr. Boyd and carried (7-0) to approve the Personnel/Student Affairs Routine agenda items for the Idaho Division of Vocational Rehabilitation, the Idaho School for the Deaf and the Blind, the Idaho Public Television, Boise State University, Idaho State University, Lewis-Clark State College and the University of Idaho. (Motion #3)

3. Non-Routine Institution/Agency Agenda Items

Mr. Boyd reported to the Board that the following items submitted by the University of Idaho were pulled until the April meeting because Board procedure does not allow for mid-year salary increases:

2.31 Administrative - Changes in Salary

- a. Byron J. Dangerfield
- b. John A. Miller
- c. Brian Pitcher
- d. Jerry Wallace

It was moved by Mr. Boyd and carried (7-0) (Mr. Eaton abstained) to approve the Personnel/Student Affairs Non-routine agenda items for Boise State University, Idaho State University, Lewis-Clark State College and the University of Idaho. (Motion #4)

Idaho School for the Deaf and the Blind

2.9 Resolution to Participate

It was moved by Mr. Boyd to approve the request from the Idaho School for the Deaf and the Blind to participate in the Vocational Education Cooperative of Southern Idaho (VECSI).

Mr. Eaton was concerned that the VECSI is being phased out of existence. He asked Dr. Mike Rush to explain the cooperative's status. Dr. Rush thought it was still in existence, but had been renamed. Mr. Eaton asked Dr. Rush to do some research and come back to the Board.

It was moved by Mr. Eaton, seconded by Mr. Boyd and carried (8-0) to table the topic for one day. (Motion #5)

Later in the day, Dr. Mike Rush responded to Mr. Eaton's concern. He said the consortium is in still place, but they are having discussions about coordinating efforts. Those discussions are not complete and there is no definite time frame set for when they will be completed. However, when they are completed, a new agreement may need to be brought to the Board.

It was moved by Mr. Boyd and carried (8-0) to approve the request from the Idaho School for the Deaf and the Blind to participate in the Vocational Education Cooperative of Southern Idaho. (Motion #13)

University of Idaho

2.8 - Athletics: Contract for Tom Cable, Head Football Coach

It was moved by Mr. Boyd that the Board approve the employment contract for Tom Cable, Head Football Coach at the University of Idaho. (Motion #6)

Mr. Eaton asked for clarification of the statement in the contract Coach shall receive the sum of \$50,000....\$50,000 from the University or the University's designated media outlet. He asked if the University would pay it, if no one else would. Mr. Jerry Wallace said the payments did have to come through the University, but the media contracts are structured to support this particular element. Mr. Eaton asked if it would be accurate for the minutes to show that this is paid by the media contract or through the University and not by the University, i.e. the University is the conduit and not responsible for paying it out of University funds.

Mr. Satterlee said the University is contractually bound to come up with the money, but it is covered by the University entering into the media contracts. He said the Board policy requires that all outside compensation go through the University before it can be paid to an employee. In this case, if the University negotiates media contracts worth \$80,000, they are contractually obligated to add \$50,000 to the coach's salary, but not \$80,000 that would remain as University income. If, for some reason, the University cannot negotiate up to \$50,000 worth of media contracts, the University is contractually bound to pay \$50,000 in media compensation to the coach and would probably have to make up those funds.

Mr. Eaton felt the contract was misstated if the UI is responsible for payment, i.e. it is not a media supplement, it is additional compensation paid for by the University and the University will or will not be reimbursed in the entirety of that \$50,000.

It was moved by Mr. Eaton, seconded by Ms. McGee and carried (8-0) to table Motion #6 no later than one day. (Motion #7)

Mr. Jerry Wallace was asked to look into the issue and come back to the Board as soon as possible, but no later than one day.

Later in the day, Mr. Wallace addressed the issue. He said the source of the funds for that part of the compensation agreement does come from media funds and is not subsidized by other types of funds, either from the Athletic Department or the University.

It was moved by Mr. Eaton, seconded by Mr. Boyd and carried (8-0) to approve the employment contract for Tom Cable, Head Football Coach, with the understanding that Section 3.2.4 means that the \$50,000 will be paid for by media contract revenue. (Motion #14)

Mr. Davis asked Mr. Satterlee if the comment in Motion #14 fit the new contract standard and was assured that it did.

2.9 - Request to Serve Alcohol

The UI requested approval to serve alcohol in the following places:

1. UI Research Parks and Business Incubators
2. Selected Off-Campus Conference Locations
3. Prichard Art Gallery
4. UI Golf Course (private events)

The committee brought the request to the full Board without a recommendation. Mr. Davis asked Mr. Satterlee to review policy when there is no committee recommendation. Mr. Satterlee said the Board has delegated to the committees the authority to review items and to make recommendations to the full Board, but it has not delegated to the committees the right to stop ideas from coming to the full Board.

Mr. Davis said his concern with the request is that there is current litigation for an incident that took place several years ago and was related to alcohol. The Board decided at the time of the incident there would be a total abstinence based policy for alcohol on the campuses of public education facilities, and that policy has served well. He was concerned that the policy would continue to erode and that at some point in time the Board would have to revisit its

decisions. He said he would vote no to the request because he did not feel it was good policy to mix students and alcohol.

Mr. Satterlee said in reference to the case that is in litigation, that there is no liability either to the University or to the Board of Regents, and it is highly unlikely any damages will be paid out as there is a law that protects the University in such situations.

Mr. Eaton felt it was a mistake (and Mr. Lewis agreed) to include the golf course in the list of designated areas because it is located on campus. Ms. McGee said she was also concerned, but was assured by the fact that it could only be approved for private groups. Mr. Eaton felt the phrase only available for private events sponsored by non-student groups meant that while an event was sponsored by a non-student group, students could still attend. Ms. McGee said she felt it meant groups like the alumni having fund-raising events. Mr. Boyd said a student 21 years of age or older probably could participate, but those under 21 years of age could not participate at any of sites, i.e. an underage person could not play a round of golf and then have a beer in the clubhouse.

Dr. Brian Pitcher said the application form specifically requires the number and ages of attendees. If the audience includes significant attendees under the age of 21, the application will not be approved. He said the UI is interested in lawful and responsible alcohol use and its reputation as a party school is changing because of the actions of those on campus, i.e. a different quality of student is being recruited and due to the lawsuit, an appropriate and restrictive alcohol use policy was implemented in collaboration with student leadership and the fraternities.

Mr. Eaton said that when the alcohol policy was first implemented, it was with the provision that the institutions provide a report to the Board on alcohol education, but that he has not seen any report. Mr. Davis said the Board would welcome a report from the Presidents Council.

Mr. Lewis asked that there be a stronger definition of the situations in which alcohol would be served. Dr. Pitcher said they would look at ways to make it clearer on the application that alcohol would not be served at student related events or where there would be a significant number of students in attendance.

Dr. Howard asked if the agreements at all three institutions were similar. Mr. Satterlee said due to individual circumstances the application procedure being proposed by the UI is less comprehensive than the agreement at BSU and more comprehensive than ISU's policy for areas such as the Alumni House and Sports Medicine Center.

It was moved by Mr. Boyd, seconded by Ms. McGee and carried (5-3) to approve the request from the University of Idaho to serve alcohol in those specific places. (Motion #8)

4. Standard Multi-Year Athletic Contract

Mr. Boyd reported the contract will provide a map for the institutions to follow as they negotiate athletic contracts.

Ms. Haws asked for clarification on the portion of the contract relating to academics, i.e. grade point averages and who makes the determination as to the difficulty of courses. Mr. Satterlee said that is left up to the presidents; however, any request for supplemental compensation will be submitted to the Board together with justification. Ms. Haws asked if the institutions would be using the same criteria or would each be allowed to set its own. Dr. Ruch said standardized criteria could create problems such as new coaches being judged by the performance of students they have not recruited. He said the institutions have been comparing student athletes to the rest of the student body and requiring them to meet the same grade criteria. And, as the specific criteria is developed under the new contracts, an annual report will be brought to the Board.

It was moved by Mr. Boyd and carried (7-0) to approve the new model multi-year athletic contract for all institutions to use for all personnel subject and pursuant to Section II. E.1.a of the Board Governing Policies and Procedures, and to require that the paragraph labeled 3.2.3" regarding academic performance, in its proposed form, be a required element of every such contract and that the liquidated damages clause, Section 5.3.3, be a required element with amounts as appropriate given the total amount of the compensation in the agreement. (Motion #9)

5. Policy Change - First Reading: Executive Officers

Topic withdrawn until the Presidents Council can review and make recommendations. A First Reading will be brought to the Board in April.

6. Scholarships

a. State of Idaho Scholarship

It was moved by Mr. Boyd and carried (8-0) to approve the State of Idaho Scholarship for 2000-01 be awarded to the students as recommended, depending on the outcome of funding in the legislature. (Motion #10)

b. Tschudy Family Scholarship

It was moved by Mr. Boyd and carried (8-0) to approve the Tschudy Family Scholarship for 2000-01 be awarded to the students as recommended. (Motion #11)

Mr. Eaton asked that there be a review to determine why the Board is administering the scholarship. Ms. Caryl Smith said she did not know why it came before the Board and did not feel that it was necessary. She said she has talked to those involved with the family and none of them know why it comes to the Board. Mr. Davis asked Dr. Fitch to check with the family to see if it is necessary and, if not, it will no longer be brought to the Board.

7. Committee Forum

No report.

Personnel/Student Affairs Committee agenda on file as Exhibit #2 with the Office of the State Board of Education.

ACADEMIC AFFAIRS/PROGRAM COMMITTEE

1. Minutes of the January, 2000 Meeting

Approved in committee.

2. Minutes of December & January CAAP Meeting

Approved in committee.

3. Technology Waiver List

The CAAP developed a list of primary engineering/technology fields of study for which tuition waivers can be awarded as outlined in the exhibit.

Mr. Davis asked if the tuition waivers were being driven by capacity. Dr. Dodson said there was significant Board discussion about meeting the state's workforce needs with waivers. A report indicating, among other things, whether the waivers meet the trend data will be brought to the Board annually. Dr. Dodson felt that, although interrelated, the capacity issue was a separate issue from the workforce trend data.

Mr. Eaton said he had reviewed the motion granting waivers and that it said and other programs with capacity. He felt it was important for the Board to have a full report so it can monitor the impact of the waivers.

Mr. Boyd said he thought the discussions that have taken place related to technology training and not as applied to some of the programs listed, i.e. Idaho needs computer programmers and other related technology positions. He was concerned that the schools would become overloaded with waiver students, who upon receiving their education would leave Idaho and go back to their home states. He felt the list submitted was beyond what was intended and that approval would create problems.

Mr. Hammond asked how the Board's intent fit in with the programs proposed for waivers. Dr. Dodson said the Board has been concerned with the integration of technology into the curriculum and all of the proposed programs have technology applications. He offered to take the list back for review, but said delay would hamper the institutions' recruiting efforts. Mr. Hammond said he was interested in giving it a try and then seeing how it works and how it points back to the charge given by the Board.

Mr. Lewis felt there were not clear definitions of excess and program goals. He felt the Board should determine what it wants to accomplish. Mr. Davis said the Engineering Advisory Council has reviewed the issue and felt these waivers were necessary.

Mr. Boyd asked how the waivers would affect reciprocity agreements with other states. Dr. Dodson said the agreements are based on dollar amounts and not student seats so the waivers should note impact reciprocity.

It was moved by Dr. Howard and carried (7-1) to approve the list of programs at each institution eligible for tuition waivers as revised, pursuant to State Board of Education Governing Policies and Procedures, Section V, Subsection U, as outlined in Item 3. (Motion #21)

4. Establishment and Naming of Administrative Unit at BSU

Boise State University received a \$1,000,000 gift from the estate of Dr. Edwin T. Jaynes. The gift requires that the funds be used for the application of Bayesian and maximum entropy methods in science and engineering. BSU requested approval to name a Center within the College of Engineering after Dr. Jaynes.

It was moved by Dr. Howard and carried (8-0) to approve the request from BSU to establish and name the Edwin T. Jaynes International Center for Bayesian Methods and Maximum Entropy. (Motion #22)

5. New Programs: Notices of Intent

- a. A.S. Emergency Medical Technician Paramedic Program - BSU
- b. A.S. Emergency Medical Technician Paramedic Program - CSI

BSU and CSI worked jointly to develop the two A.S. programs and Certificate of Completion option. The CAAP determined the requests comply with the criteria as established in Board policy and guidelines for program approval and recommended approval without the development of full proposals.

Dr. Dodson said the BSU Curriculum Council has not had the opportunity to review the request, but should approve it at its next meeting.

It was moved by Dr. Howard and carried (8-0) to approve the requests from BSU and CSI to offer the A.S. Emergency Medical Technician Paramedic Program, pending Boise State University approval. (Motion #23)

6. Idaho Technology Incentive Grant Program RPF

Dr. Howard said the funds would be distributed based upon the merits of each application in the following proportions:

Boise State University - 30 percent
Idaho State University - 30 percent
Lewis-Clark State College - 10 percent
University of Idaho - 30 percent

It was moved by Dr. Howard and carried (8-0) to approve the Request for Proposals for the Idaho Technology Incentive Grant Program. (Motion #24)

7. Idaho Virtual University Consortium

Ms. Szofran said Phase I of the analysis has been completed with a framework for decision making also completed. She said the presidents would now like to look at bringing the seven institutions distance learning programs together as one. She has looked at software vendors to develop a web site. She will meet with Access Idaho on April 3 to discuss development of the web site.

Mr. Eaton asked if there has been discussions on reaching the goals through another means such as turning it over to a private company. Dr. Bowen said the that has not been discussed.

8. Program Review

Dr. Howard said the reviews are going forward and the reports will be presented within the next year.

Mr. Davis said the Idaho Society of Professional Engineers contacted him and asked that the following be considered at the next Statewide Engineering Education Advisory Council meeting:

- 1) A statewide initiative be undertaken to assess the adequacy of laboratory equipment at all three engineering universities.
- 2) A budget for the equipment be established, if this assessment reveals that any or all of the universities require additional or upgraded equipment.
- 3) A special one-time request be made of the legislature for funding, if this budget is greater than the normal year-to-year funding for equipment.

9. Program Changes Approved by Executive Director

Dr. Dodson said the quarterly report of changes does not include minor curriculum changes, catalogue changes, titles, pre-requisites, section numbers or restructuring of A.A.S. degrees.

10. Other

a. Cooperative Agreement

Dr. Howard said UI is working on a Memorandum of Understand with Washington State University and Gonzaga University to develop a cooperative degree in computer engineering which will enable the UI to offer the program in Coeur d Alene. The agreement should be finalized in early April.

b. Teacher Education

Dr. Howard said the USDoE is requiring that states report on how well their teacher education programs are training future teachers. Because the USDoE is still developing its guidelines, the report is not due until April 1, 2001.

Academic Affairs/Program Affairs Committee agenda on file as Exhibit #7 with the Office of the State Board of Education.

FINANCE COMMITTEE

1. Minutes of the January, 2000 Meeting

Approved in committee.

2. Routine Institution/Agency Agenda Items

It was moved by Mr. Eaton and carried (8-0) to approve the Finance Committee Routine agenda items for Boise State University, the University of Idaho, Lewis-Clark State College and the Idaho School for the Deaf and the Blind. (Motion #15).

3. Non-Routine Institution/Agency Agenda Items

Boise State University

4.10.1 Use of Unallocated Surplus Bond Funds and General Building Fee Monies and BSU Technology Application Report

Mr. Eaton said the topic, Project Access, relates to an item on the Finance Committee agenda that was deferred to the whole Board.

Dr. Charles Ruch presented an overview of the following:

- 1) History: BSU s 1994 Strategic Plan indicated a need for an information system that would provide the technology infrastructure for the future.
- 2) Project Goals:
 - a. Rebuild the infrastructure.
 - b. Re-engineer business practices.
 - c. Select and install a software system that would support the re-engineered business practices.
 - d. A vendor by the name of PeopleSoft was hired to accomplish the goals.

Dr. Ruch said the major problem encountered was not budgeting enough funds for consultants. As they reviewed cost overruns, it became apparent they did not provide the Board or themselves on-going cost totals of the whole project. He felt that as it is a multi-year project with multi-components, they became too focused on getting the job done.

- 3) Deloitte & Touche Audit: The situation has been a positive learning experience which is being taken very seriously. BSU has provided the Board with a management response where they have reviewed each comment and as a result, have changed procedures.

Ms. Stacey Pearson addressed the audit review. She said the most critical parts of the audit had to do with project planning processes, documentation and both internal and external communication. She said BSU has taken immediate action on the processes and planning, and they have revised the responsibility scope of the steering committee with a staff person from the OSBE appointed to the steering committee. Additionally, monthly budget and expenditure data is provided to the steering committee and other interested parties.

Many of the additional expenses were to ensure that the new software works with existing BSU systems. She said they have learned a lot in the process and they are much wiser and will be very good project managers in the future.

Ms. Pearson said the goal is to bring closure to the initial implementation because there are years of work ahead. She said BSU currently has a well-trained staff that can run the system and is looking forward to getting involved in implementing enhancements for the system. However, due to competitive pressures in the Boise area, it is difficult to keep staff so that will continue to be an ongoing challenge.

- 4) Funding Strategy: In 1993 and 1994 it became clear BSU had three major needs that needed to be funded internally:
 - a. Acquisition of property.
 - b. Purchase of equipment.
 - c. Project Access.

Dr. Ruch said the projects could not be funded in one year so they allowed fund balances to grow higher than would be normal so the following year, purchases could be made. The strategy avoided wide use of student fees and dependence on state dollars, and permitted the institution to move ahead.

Mr. David O'Neill addressed the goals for Phase II:

- a. Stabilize the day-to-day production environment.
- b. Create a development environment.
- c. Purchase adequate equipment to ensure the production and development environments are separate and stable.
- d. Implement project management practices as outlined by Deloitte & Touche.
- e. Leverage the existing foundation to provide web enablement, access to information and to establish a user self-service environment within which additional enhancements and functionality can be developed.

Mr. O'Neill said they are developing, with Deloitte & Touche, a business case assessment tool that can be used as well as additional new practices in the project which will be the foundation upon which not only Project Access will continue through Phase II and bring closure

and completion to Project Access, but many of these practices will be carried on into the mainline information technology governance processes in the future.

- a. Development of a global work plan. The 10-point plan provides direction for Project Access and other projects that relate to software development or hardware acquisitions. It provides a reasonable set of expectations, defines the roles and responsibilities and establishes priorities. For Project Access the steering committee was reconstituted to include not only a member from the Board office, but from ITRMC and other interested groups. The committee meets monthly, minutes are kept, financial reports are discussed and the project status is reviewed. The steering committee provides the direction and sets the priorities of the project.
- b. Business case assessment tool developed by D&T. It determines for that piece of the project how well the software or hardware fits, identifies any gaps, identifies costs associated with the gaps, identifies benefits and risks, provides implementation plans and budgets, provides costs, efforts, time and benefits documentation. From that, detailed task plans are crafted by the responsible functional and technical areas, which are then owned and managed by the University.
- c. Tracking progress as part of the management of the project. The progress for a particular task is managed and recorded showing costs, efforts, time commitments and benefits. These categories are then compared to what was anticipated during the planning stages.
- d. Communication. One of the problems of the project has been the lack of time to communicate effectively both within the project and University as well as outside of the University. They will begin to identify what is being done and share it with all interested audiences. They also plan to give presentations around the community to solicit input and share where tax dollars are being spent.
- e. Phase II: Having met the Phase I goals, Phase II has been identified by the steering committee as the foundation for the completion of the project. Having met the Phase I goals, it is recognized that the Y2K compliant foundation is in place and that all functions and additional or subsequent efforts are merely an expansion or an enhancement to that foundation. Moving the project into the mainline technology governance process on campus is currently under discussion.

Mr. Davis asked if decisions were made to have the Y2K compliance issue operable by the end of 1999 and also that there was a good deal of new programs added that were not in a computerized environment that also fell under that same scope of project to be completed by the end of 1999. Dr. Ruch replied that the nature of an enterprise system is that all of the subparts talk to each other, i.e. under our old system, if you changed your address, it would be in three different systems; now if you change your address, it is entered once in the system. Therefore, it encompassed the entire scope of the information management system. Mr. O'Neill said that a number of functions that were not automated in the past have been automated.

Mr. Davis asked about contractual relationships with outside entities: management of dollars, time or the scope of the project. He felt that due to the serious dollar overruns, that wasn't managed well. He thought time constraints were the issues but the project scope seems to have expanded. Mr. O'Neill said in any project management there are three variables and when he investigated, neither the scope or time had changed, but there was a lack of resources which needed to be purchased in order to complete the scope of work and meet the time limit.

Mr. Davis asked if PeopleSoft had people that could be put on the project at \$700-\$800 per hour. Ms. Pearson said they did negotiate with PeopleSoft for a 15 percent discount on consultant rates and in the initial agreement with them, used it as the implementation partner to get the system up and running. Currently, BSU does not have any PeopleSoft consultants on campus, but is using local consultants who have learned on the project and who bill at a much lower rate. BSU would like to continue the relationships and use them as needed to supplement its staff.

Mr. Davis said there have been strong signs of serious overruns. He said he recalled sending a letter to BSU indicating some concerns raised by a former employee who made assertions that the Board hadn't see anything yet and that there would be substantial economic overruns, into the multiple millions of dollars. Also asserted was that there discrimination against men by a female employee in BSU payroll. Dr. Ruch said the economic issue was the result of the project being managed bit-by-bit. There were problems with some people not liking the institutional decision to change from the Legacy system and they left BSU employment. There were additional problems with training people who then left for other employment and then a critical leader passed away. The result was having to deal with an on-going set of personnel challenges while trying to meet the deadline. He thought the Board was provided with information in bits and pieces and it wasn't until the latter part of the project, when it was added up, that they became concerned.

Mr. Davis was concerned that the Board would be left with the following probable facts:

- a. If an entity gets into the area of serious changes in its computer program plan, there are going to be serious overruns.
- b. Managing in an atmosphere that is that volatile in dollars? How do you manage in the future when the demand is strong and you can lose key people at any time.

Dr. Ruch said they met their first challenge which was to have the new system up and running by the new calendar year. He said the institutions have learned how to build buildings without high cost overruns and this project has taught them how to implement software systems. He felt this was the most strategic activity BSU could do to continue to be well managed over the next few years.

Mr. Eaton said he had two budget figures for Phase II: \$7,025,000 and \$5,742,667. He asked Ms. Pearson to submit to the Finance Committee in April the correct amount and explain the discrepancy. Ms. Pearson said it was basically that the \$7,025,000 figure included outstanding invoices, which were included in the event BSU is required to pay them.

Mr. Hammond asked what could have been done differently in terms of managing the project that would make a difference. Dr. Ruch said his reading of the consultant's report was they did not quarrel about that; quite the reverse, they were fairly complementary that so much had been accomplished in such a short time. The price paid was in not having good internal and external communications, and in not having the level of documentation the auditor would have wished. He felt that had BSU kept a total project budget, they could have advised and made others aware of the costs, but he did not feel there were many other options. In retrospect, the project was a lot more complicated than originally planned. In terms of financing, it has become apparent that technology infrastructure needs to be invested in every year. To postpone it for ten years and then make a shift is not only expensive, but very time consuming. He said he was not sure that at the policy level there were a lot of options.

Mr. Eaton felt consultant fees were not established as clearly at the beginning of the process as they could have been. He asked for comment. Ms. Pearson said in her discussions with the auditors it was suggested that a professional project director be hired. BSU had tried to hire one, but was unsuccessful. Therefore, the project leadership was shared by people in other positions. It was also suggested that a firm be hired, but that could have cost more in fees.

Ms. Pearson said the consulting escalated in the second year when the student administration portion was being implemented. There was a difficulty in finding a consultant with expertise in student administration, in particular student financial aid.

Dr. Ruch said the system specifications were written to match the institution's current and future needs, and were then sent to through state purchasing. One of the specifications required the ability to support web. There were several possible vendors, but PeopleSoft has the biggest share of that market.

Mr. Boyd was concerned that PeopleSoft put in the software with problems and then came in and fixed it at a high price. He asked if the BSU system would be compatible with the other institutions. Dr. Ruch and Mr. O'Neill said they would be compatible with the other schools when BSU gets on the web. The fact that BSU has a system that, by design, enables it to do that is the most significant accomplishment of the project. Many products in the marketplace are architecturally 20 years old they may have put a front end on them to make them look web compatible and be web compatible, but most of the companies are in the trenches in research and development. He felt BSU was fortunate to have bought a system that is architecturally compatible and, in most areas, the product is mature. The area where it is least mature is in the area of student finance and student aid.

Ms. Haws asked if the other institutions were web compatible. A response was given that they were.

Mr. Eaton said the request is for approval of the use of surplus bond funds that have been and are being accrued by various bonds at BSU. There are two issues:

- a. Whether or not the Board needs to be involved in this kind of a decision. An opinion from the Board's attorney says the Board should be involved and be involved before the money is spent. Mr. Eaton felt this opinion was contrary to an opinion given to BSU. However, henceforth, the attorney general's opinion will guide the Finance Committee and, hopefully, not only the Board but all of the institutions that there should be prior review before any of this money is spent.
- b. The money itself. Mr. Eaton said Dr. Ruch was asked approximately one month ago to share with the committee contingency plans in the event that the excess bond reserve money would not or could not be used for this purpose, i.e. alternative sources of funds. Two choices were proposed: 1) student fee of some sort, or 2) reallocation of existing funds. He felt it was clear that BSU would prefer to use the surplus funds from the bonds.

Mr. Eaton asked Mr. Nick Miller, BSU Bond Counsel, what bonds could be used. Mr. Miller reviewed BSU's bond system: parking, housing and library, each of which has a separate bond reserve fund that will not be touched. Additionally, each of the bond resolutions says that once 125 percent of the amount owed for debt service every year is collected, the amount over the debt service can be used for any lawful purpose of the University. Therefore, from the standpoint of the Board's contract with the bond holders, the bondholder's interest is to make sure the University collects an amount that is more than the payment every year so there is excess coverage. Amounts collected in excess then become available and the bondholders don't care how the University spends the money. He asked that the following be clear to everyone:

- a. The request is totally permitted within the contract with the bondholders, i.e. bondholders do not have to give consent.
- b. All of the true bond reserves, i.e. funds that are available to the bondholders are untouched and remain available. The request is for monies that are surplus collections that exceed the amount of bond payment.

Mr. Eaton said that in the event the Board does approve the request, it would be worthwhile to ask Dr. Ruch to ask Mr. Miller to supplement the Board's record with a statement specifically identifying the bonds that are the source of the funds and giving the financial description that the bonds are sound, that the reserve covenant is not being violated, that these are

surplus funds, and that, in Mr. Miller's opinion, this is an appropriate use for those surplus funds. Mr. Miller will get the identifying bond information to the Board for its record.

Mr. Davis if the right of eminent domain was used to acquire property for the parking facilities. Dr. Ruch said it was used, but primarily because of tax advantages to the sellers. He said there were no unwilling sellers, all of the land has been acquired for the recreation center and clearing is scheduled to begin within a few days.

It was moved by Mr. Eaton, seconded by Mr. Hammond and carried (8-0) that the Board approve the request from Boise State University to utilize \$5,000,000 of unallocated surplus funds in the bond system and \$400,000 of surplus general student billing fee monies as a part of the overall funding package for Project Access, and that Boise State University submit bond counsel's statement: 1) identifying the bonds used, 2) with a statement that the funds are available from those bonds and 3) that the bond covenants are not violated and 4) that the excess revenue may be used for this purpose. (Motion #26)

Mr. Davis asked to what extent the students were involved in the decision making processes relating to the use of the \$400,000 in surplus general student billing fee monies. Ms. Pearson said those are monies that currently go into the bond system so it is the \$99 fee that is going into that system for the bond reserve. And so, the culmination of partially the building fee monies and other revenues that go in and earned interest earnings, it's a collection of those that make up the excess amount. Mr. Davis asked if there was student input at the suggestion of the issuance of the bonds, but that they have not been involved in the surplus utilization. Dr. Ruch and Ms. Pearson said that was correct.

Mr. Eaton said the Finance Committee has had many conversations having to do with communications from the institutions to the Finance Committee and the Board about the nature of expenses incurred, projects that are entered into, dollars that are being used and from what source. The committee has assurances from all of the institutions and agencies that those things will be discussed as a matter of open communication, even if there is no technical requirement to do so.

Idaho State University

4.21 Purchase of Telecommunications Equipment

ISU requested approval to purchase equipment for the Telecommunications Department. The project was reviewed and approved by the Information Technology Resource Management Council. Total hardware costs is approximately \$300,000 in Cisco Ethernet Switches and \$200,000 for materials and supplies, and will be funded from local funds generated by the Telecommunications Department.

It was moved by Mr. Eaton and carried (7-0) (Mr. Davis abstained) to approve the request from Idaho State University to purchase, over a period of three years, necessary equipment to replace current cabling with UTP cable and switched 10/100 Mbps Ethernet ports for the telecommunication department, not to exceed \$500,000. (Motion #16)

University of Idaho

The UI requested approval to revise project scope and budget to accommodate additional site development work, renovation of the basement of the existing Administration Annex Building, and additional student related furnishing and equipment items.

Mr. Eaton said the project has been approved in the amount of \$12,445,000. The current request is to raise it to \$13,300,000. The money is being funded by private donations.

It was moved by Mr. Eaton and carried (8-0) to approve the request from the University of Idaho to revise the project scope and budget as detailed. (Motion #17)

Idaho State Historical Society

The ISHS received a gift of a collection of arms and military memorabilia from Mr. J. Curtis Earl with a value in excess of \$3,000,000. In addition to the collection, the ISHS received a gift of approximately \$600,000 in stock for use in renovating an existing building inside the walls of the Old Idaho Penitentiary for public exhibition of the collection. The stock has been converted to cash and placed in an agency account.

Board policy requires Board approval for the acceptance of gifts in excess of \$10,000 and approval on construction projects.

It was moved by Mr. Eaton and carried (8-0) to accept a collection of arms and military memorabilia and approximately \$600,000 from J. Curtis Earl, and to approve the renovation of facilities for \$600,000 to exhibit the collection. (Motion #18)

Mr. Eaton expressed the Board's appreciation for the gift. The inventory is being appraised and although not complete, the appraised value has reached \$5,000,000

4. FY2001 Salary Guidelines

It was moved by Mr. Eaton and carried (8-0) to approve the 3.5 percent guideline for salaries. (Motion #19)

5. FY2002 Budget Request Process

Mr. Eaton said the vice presidents and agency representatives were asked to bring beginning budgets to the committee in April. The budgets will be based on MCO and 5 percent enhancement requests. The enhancements will be the same categories as last year: salary competitiveness, infrastructure, and role and mission. Additionally, the Presidents Council recommended that there be a direct tie between operational budget requests and the strategic plan. The committee modified the recommendation to include where in the strategic plan the enhancement requests would be identified.

Mr. Eaton said a new reporting form has been developed, which will make it easier to understand the requests. The committee hopes to have the budget finalized in June which would make a budget meeting in August unnecessary. He added that the MCO amounts probably would not be available by June and suggested the Board delegate the authority to put those numbers in to the staff.

Mr. Davis was concerned that the Board has not been kept informed when funding requests are adjusted. He asked that when the requests are changed, Dr. Fitch be notified and that Dr. Fitch then notify the Board.

Mr. Eaton said the committee discussed having dialogue with the Division of Financial Management and the Legislative Budget Office to better understand how their processes work. The committee recommended the Board President ask the Executive Director or another appropriate person to begin that conversation on the development of MCO numbers.

6. Non-Resident Fee Waivers

Mr. Eaton said the policy has been adopted and this request was the selection of eligible programs. (Additional discussion in Academic Affairs/Program Committee.)

7. Policy Change - First Reading: Naming/Memorizing Building

The change will delegate to the presidents the authority to name rooms and open spaces. The naming of buildings, structures, laboratories, administrative units and other physical improvements or natural features will be retained by the Board.

It was moved by Mr. Eaton and carried (7-1) to approve for First Reading the change authorizing presidents of the colleges and universities to name or memorialize rooms and open spaces. (Motion #20)

8. Student Fees

The Board will address the issue in April. Mr. Davis asked if students would be attending the next Finance Committee meeting to voice their opinions. Mr. Eaton said they would be invited.

9. JFAC Appropriations Recommendations

Addressed in Legislative Affairs Committee.

10. Other

Mr. Eaton reported he, Mr. Davis and Mr. Boyd met with members of the Permanent Building Fund (PBF) to review the process and educational requests. He reviewed the process for the Board:

1. The SBOE submits its prioritized requests to the PBF.
2. The Advisory Committee for the PBF reviews the requests from the SBOE as well as all other state agencies and sets its own prioritization.
3. The Advisory Committee then takes its recommendations to the governor.
4. The recommendations go through the governor, into the budget address and then to the legislature.

Mr. Eaton said the process was in place and that not much could be done about it, but the Board could develop a relationship with the PBF which would impact how they treat the Board's priorities. He felt the meeting was successful and the PBF was receptive to continuing discussions.

Finance Committee agenda on file as Exhibit #6 with the Office of the State Board of Education.

LEGISLATIVE AFFAIRS COMMITTEE

1. Inmate Education

The bill to assign the education of inmates to the SBOE has been amended and is going through the process.

2. 3 Percent Cap

Proposed legislation has been stopped.

3. Higher Education Endowment

Last year the legislature attempted to withhold some of the spending authority for the university endowments. Mr. Satterlee said the Attorney General's opinion is that it is beyond the power of the Idaho Legislature to appropriate, grant or withhold spending authority. A draft of proposed legislation which would strike language attempting to make the university endowment subject to the appropriations process has been written and Board staff is attempting to get it introduced this session.

4. School Facilities

Mr. Satterlee said the lawsuit is scheduled for a two-week trial, to conclude April 21. There would then be a two-week break to give both parties time to review and see what needs to be done to complete the case. The case will come down to the issue that the Supreme Court handed back down, i.e. the Supreme Court held that it is a duty of the state to either provide for facilities for the public schools directly or provide a workable mechanism by which the local districts can provide for their facilities. The court has said the state is not providing for facilities so the only issue for the court is: Has the state set up a workable system by which the local districts can provide for their own facilities through funding or bonding? There are several bills in front of the legislature that would change the way local districts can finance and construct facilities. The state's attorney asked that the trial be postponed until after the legislative session so the court can evaluate any changes to the current system, but the motion was denied and the trial commenced.

Mr. Satterlee said there is a lot of speculation on how the court will rule and whether, if there is a new law, they will have to hold another trial or take judicial notice of the new status. There seems to be a consensus that, absent some legislative action, the state will not prevail in the matter.

Mr. Killworth said several bills are being reviewed by the education committees and there may need to be a special session to address the issue.

Mr. Boyd asked if Idaho courts could take over a school district and require performance. Mr. Satterlee said there was no statutory provision for the courts to take over a school district, but the court could find that either the state or the district was not operating within the Constitution. The court could then order the district to comply by telling it how to do certain things. However, the court has limited the scope of that inquiry to whether or not a safe environment conducive to learning is being provided, which the courts have found is required under the Thoroughness Standard.

5. Videoconference

Mr. Boyd asked if the Board was interested in doing a videoconference following the legislative session. Mr. Killworth will look into an April date.

Mr. Hammond felt there would be greater participation from the north if Coeur d Alene could be tied into the conference.

6. Board Outreach

Mr. Boyd said there has been interest in holding more community outreach meetings. Mr. Davis said the meetings held in the past were done so to invite discussions on exiting standards and felt additional outreach meetings should be based on need. He said the Permanent Building Fund Council will be bringing out a list of projects around the state and he would like to spend some time visiting those projects. He felt, however, that the Board should use its time in the way it feels is most important.

Mr. Hammond said he has been meeting on an individual basis with groups in Region I. He said he has begun to realize that the SBOE is attempting to accomplish in one and one-half days what other boards are using two and three boards to accomplish in six or seven meeting days. He said he was not sure that holding meetings in the evening, after a full day, was the most productive use of time.

Dr. Howard felt many of the presentations highlighting education efforts around the state were beneficial and felt that type of activity could be scheduled.

Legislative Affairs Committee agenda on file as Exhibit #5 with the Office of the State Board of Education.

70 PERCENT COMMITTEE

1. Minutes of the November, 1999 Meeting

Approve in committee.

2. Minority Recruitment

Mr. Hammond said a report was submitted, but due to the format, was difficult to interpret. It appears that the least amount of success in recruiting and retaining both students and faculty has been with Hispanics.

3. Corrections Education Subcommittee

Mr. Hammond said the committee has been looking at how the education system can collaborate more effectively with juvenile and adult corrections. He said the committee has been talking to others who are involved in the issue, but is waiting to see what will happen if proposed legislation assigning inmate education to the Board is passed.

4. Professional-Technical Information Technology Initiatives

Mr. Hammond said they are working to educate Idaho students in various areas of technology.

Mr. Eaton asked if the committee had discussed the fee waivers currently being offered at the college and institutions for certain technical programs. Mr. Hammond said they did and identified many areas that needed assistance.

5. Budget Initiatives

Mr. Hammond said there was frustrations with two bills that primarily address minority education, i.e. House Bill 404a - Displaced Homemakers and Senate Bill 1386 - Educational Support. It is hoped the programs can become part of a base so there can be continued funding, rather than add-ons. The committee is working to prepare a proposal on how to address the problem. Dr. Rush added that both are expected to pass with little or no opposition.

6. Minority Education Reports

See #5 above.

7. Legislative Update

See #5 above.

8. Farm Crisis Initiative

There are concerns that some Idaho farmers may not be able to continue operating their farms. A network has been put together to assist these farmers with job opportunities.

Mr. Eaton asked why the topic was on the 70 Percent Committee agenda. Dr. Rush said Representative Jones asked the SDPTE if there was a way to coordinate existing services to deal with farm crisis issues. The Division does a lot of short-term training of farmers, has centers which provide counseling and guidance services and are involved in various training networks.

9. Policy Change - First Reading

Idaho State Board for Professional-Technical Education
Section VII
Subsection H, Professional-Technical Schools

Mr. Hammond said the change will say that once an appropriation is made, the value per unit will be made based upon the number of units divided into the appropriation.

It was moved by Mr. Hammond to approve the changes in the Professional-Technical Policy of the Governing Policies and Procedures of the Idaho State Board for Professional-Technical Education, Section VII, Professional-Technical Education, Subsection H for First Reading as exhibited in Item 9.

Mr. Satterlee said there is no Section VII in the policy manual, but that the Division has compiled policy decisions made by the Board and put them into a booklet. He suggested the Board direct the Division and the Board staff to create a new section in its policy manual.

The motion was amended by Mr. Hammond and Ms. McGee to add that the section regarding the policies for professional-technical education be added as a section to the Board's policy manual. **The amended motion carried.** (Motion #12)

Mr. Satterlee said that either in April or June the entire compilation of topics would be brought back to the Board for adoption.

70 Percent Committee agenda on file as Exhibit #3 with the Office of the State Board of Education.

OTHER

1. BSU Program Approval Update

Dr. Charles Ruch introduced Dr. Jack Pelton, who gave a presentation on geophysical education at Boise State University.

2. Luncheon with ISBA

The Board met with representatives of the Idaho School Boards Association and legislators to discuss education issues.

Exhibit #10

3. Request to Ask JFAC to Revisit Budgets

Mr. Eaton said a letter, signed by the presidents of the postsecondary institutions, was written to JFAC asking for reconsideration of the one-time request for technology and salary competitiveness.

Mr. Eaton felt it could be beneficial to approach the JFAC committee and let them know the Board is interested in their process and that it is an advocate for all education budgets. He felt it should be done in such a way that they do not get the impression the Board is interfering with decisions they have already made and are not inclined to review, or that it is meddling into JFAC's business. He suggested either the president or the president's designee, probably the executive director, approach the chair or maybe the co-chair of JFAC and remind them that the Board does have an interest and wants to help them with their process.

Mr. Hammond asked if the intent of the contact was to be sure JFAC understands the Board has grievous concerns about the fact that education wasn't funded to the appropriate level and as a result, not everything that needs to be done will be accomplished. Mr. Eaton felt that was a good articulation of the issue.

Mr. Davis felt Mr. Boyd would be the logical Board member to approach the JFAC legislatures. Mr. Boyd cautioned that JFAC does not like to reopen budgets and that it takes a 2/3 vote to do so. However, he said he would contact one or two members to get their responses.

Exhibit #4

4. Lewis-Clark State College Accreditation Report

Dr. James Hottois addressed the Board and reviewed the procedures and results of the recent accreditation review at LCSC.

Dr. Hottois said the institution agrees there needs to be improvement in the area of assessment, but they believe the institution has a very good record of using assessment data.

Mr. Hammond did not feel it was justified to criticize LCSC for trying to do too much as the Board asked the colleges to be responsive to the needs of the students and the communities which is what LCSC is trying to do. He felt it was the Board's job to determine the mission of the institution and that the institution should not be criticized for following the Board's direction.

Mr. Eaton asked if there was general understanding and acceptance of the mission on campus. Dr. Hottois felt there was general understanding, but not acceptance. He said there are concerns about outreach and off-campus instruction.

Mr. Eaton asked if the accreditation team's comments regarding the institution's reach and resources would be taken into consideration in an attempt to define either a change in mission or opportunities for increasing resources. Dr. Hottois felt it would:

- 1) It will guide in the use of resources.
- 2) It will assist in prioritization.
- 3) It may give a tool for acquiring additional resources.

Mr. Eaton asked for comments about the concerns regarding the recent SBOE decision to require 16-hours of credit in general education courses for technical programs that would be transferrable to academic programs. Dr. Hottois said that has been a difficult issue on campus because for the following reasons:

- 1) It is a change in the way we are educating students.
- 2) It is a change in who can teach what.
- 3) There are concerns on whether or not the policy benefits students.
- 4) There are questions on whether or not the policy undermines other programs.

Dr. Hottois encouraged the Board to assess the outcome of the policy in a year or two to see if it is achieving wanted goals. Mr. Davis felt the problem was focused at LCSC and did not seem to be creating problems at the other institutions.

Dr. Mary Lou Robinson said the faculty recognized this is a change that is happening around the country, but does not feel the policy is working for either them or their students. Mr. Davis said he was open to revisiting the policy.

Mr. Eaton said the intent of the policy was to eliminate arbitrary barriers and assist students in transferring within programs. He felt it was a mistake to give the impression that the Board was willing to reconsider its decision simply because there is reluctance on the part of some to find ways to make it work.

Exhibit #11

5. Executive Session

It was moved by Mr. Eaton, seconded by Mr. Boyd and carried (8-0) to enter into Executive Session per *Idaho Code* 67-2345-b, c, d, and f. **A roll call vote was taken:**

AYES: Ms. McGee, Mr. Boyd, Mr. Hammond, Mr. Lewis, Mr. Eaton, Dr. Howard, Ms. Haws, Mr. Davis
NAYS: None
ABSTAIN: None
ABSENT: None

The Board discussed personnel issues relating to the Office of the State Board of Education, the Idaho Division of Vocational Education, Idaho State University, Lewis-Clark State College and the University of Idaho.

The Board discussed areas of possible litigation at Boise State University, and litigation regarding endowment monies.

No decisions were reached. (Motion #25)

6. Open Forum

1. Gordon Wooley, Terrell Donicht and Vaughn Heinrich addressed the Board regarding safety and accreditation.
2. Clara Horne and Eugenia Horne addressed the Board regarding Idaho State University personnel procedures and internal audit functions.

7. Performance Measures

In November 1999 the Board approved the 2000-2005 Statewide Strategic Plan and passed a motion directing Board staff to develop, in collaboration with the Presidents/Agency Heads, institution/agency unique performance measures.

The performance measures are scheduled to be reviewed and formally adopted no later than May 2000. The measures will then be incorporated into the Board's management information system and sent to the Governor and legislature. All performance measures will be reported annually by the institutions/agencies in conjunction with the performance reporting to the Division of Financial Management as required by *Idaho Code*.

Mr. Mike Killworth asked Board members to submit their comments to him. He will bring the measures back to the Board for approval in April.

Mr. Eaton asked Mr. Killworth to check with Dr. Rayburn Barton in South Carolina and with other states on how they are setting and using performance measures. Mr. Killworth said the performance measures in South Carolina were mandated by the legislature and tied to funding. He said he would check with other states to determine what they are doing.

Mr. Hammond was concerned that often the measures are just numbers and felt there should be review of numbers beyond enrollment numbers, i.e. the retention rates, graduation rates and the number that are getting jobs in their fields. He felt the Board should be looking at what the end product is like and how effective are we in creating a good end product.

Ms. McGee said she has talked to other states that have tied funding to performance measures and will get their comments to Mr. Killworth.

Exhibit Materials on file with the Office of the State Board of Education.

STATE DEPARTMENT OF EDUCATION

A. Exiting Standards Update Report

Ms. Lydia Guerra said the standards and their funding are going through the legislative process. She said Representative Fred Tilman will assign two members of his committee to exiting standards.

Ms. Guerra asked the Board to re-evaluate and strategize where it wanted to go from here, and suggested that be a topic on the May retreat agenda.

B. Accreditation Facilities Report

Mr. Tom Farley and Mr. Bob Fontaine presented report entitled Assuring Safe Environments for Students.

Mr. Davis was concerned that the report listed too many things that are questionable as to whether or not they are true safety concerns and no real safety problems. He felt the original intent of the Board was to penalize schools for true safety infractions and not for the types of things listed in the report.

Mr. Eaton felt what he had originally voted for was a policy which would have served as the stick to motivate recalcitrant school districts who weren't sending in reports. He thought that by connecting accreditation to the failure to send in a report, would ensure receipt of that report. He said it was not working with some of the districts and he is finding that the consequence of the rule is: 1) the inspection is now intensified and is much more onerous on schools that have been sending in their reports and 2) it is taking time within the district to deal with those more intensified things that really don't matter, i.e. its taking time away from things that need the time. He thought what he voted on and what he got were two different things. He suggested the issue be completely reviewed and brought back to the Board with the idea of undoing the rule and doing it the right way.

Mr. Farley suggested they work with building inspectors and superintendents so that true safety issues can be identified.

Mr. Davis felt if the same definition of safety was used to prepare the report being reviewed by the legislature, then the report is a sham. He asked if the Board needed to act immediately to disconnect the prior requirement or if there was time to get additional input. Dr. Howard said the definitions used by the groups were different. The lawsuit has heightened everyone's awareness of facilities and safety needs. She said many items in the report appear to be small items but it is important to get money to districts so they can deal with ongoing maintenance needs. She felt some of the harm from this is that people in the districts who are

working hard trying to build the best educational program they can are doing so in buildings that are often not adequate, i.e. no proper electrical outlets, science programs in rooms without running water. Therefore, the issue is can we give merit status to a school that doesn't have appropriate facilities to recognize the efforts of the staff that are working there or do we say they don't have a school that's adequate to teach students in a way they should be taught and this is a way you can point it out to your public and to the entire state. Mr. Davis commented that there is a difference between adequacy and safety.

C. Elementary and Secondary School Accreditation Reports

Both the Elementary Accreditation Committee and the Secondary State/Northwest Advisory Accreditation Committee reviewed the and submitted their accreditation rating recommendations. Mr. Farley reviewed the process and the schools under consideration.

There was discussion regarding the makeup of the committee and whether or not there could or should be more involvement from private sector individuals.

Mr. Eaton asked if the SDOE was able to ascertain which schools have improved the most. Mr. Farley said they are just starting the process, a report measuring improvement should be available in two or three years. Mr. Eaton was concerned about the length of time before a report could be done and encouraged the SDOE to provide the information sooner.

It was moved by Dr. Howard, seconded by Mr. Eaton and carried (5-3) to approve the request by/for Elementary and Secondary School Accreditation Reports as submitted. (Motion #27)

D. Core Competency Plan for North Gem District #149

A student not meeting graduation requirements through either Option 1 or Option 2 may elect to utilize an Option 3 plan developed by the local district. Option 3 plans must be submitted to the State Board of Education for approval prior to utilizing the plan in validating student achievement.

A committee established by the SDOE to review Option 3 plans recommended approval of the Option 3 plan submitted by North Gem District #149.

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (8-0) to approve the request for Approval of Core Competency Plan for North Gem District #149 as submitted. (Motion #28)

E. Remote and Necessary Schools

Arbon Elementary SD #383 and Avery SD #394 applied for recognition as remote and necessary under the provisions of *Idaho Code* 33-1003, 3 for the 2000-01 school year. These districts operate and maintain schools that are remote and isolated from the other schools of the state because of geographical or topographical conditions.

For the past several years, Avery SD has applied for and received approval to be recognized as remote and necessary, but has not required any remote and necessary funding.

It was moved by Dr. Howard, seconded by Mr. Boyd and carried (8-0) to approve the requests by Arbon Elementary SD #383 and Avery SD #394 to be recognized as remote and necessary. (Motion #29)

F. Letters of Authorization

At its January, 2000 meeting, the Professional Standards Commission approved eleven Letters of Authorization (LOA) for recommendation to the SBOE.

Mr. Lewis asked for a review of the process used to make a decision regarding the LOAs. Mr. Larry Norton said the LOA process, authorized under Board rule, allows districts to request a LOA so they can hire someone who doesn't have correct credentials to teach what is needed due to some type of emergency. The process is that they request from the Office of Certification a LOA packet which explains in detail what needs to be included in the application packet, i.e. their Board has to declare an emergency, they have to indicate who will provide supervision and there has to be a plan in place (and approved by a college or university, if applicable) by which the individual will receive the correct certification over a period of time. The Authorization Committee then reviews the applications and makes a decision whether or not to recommend approval.

Dr. Howard said there are two ways an individual without complete credentials can teach: 1) the LOA process or 2) Consultant Specialist. The Consultant Specialist classification is used by individuals who may have a particular talent in an area, but do not have teaching credentials. The process also gives information on teacher shortages around the state.

It was moved by Dr. Howard, seconded by Mr. Boyd and carried (8-0) to approve the requests for Letters of Authorization as submitted by the Professional Standards Commission as listed. (Motion #30)

G. Operation Recognition Resolution

Mr. Tom Ressler, Division of Veterans Services, presented a video on the recognition plan and requested Board approval of the following resolution:

Be It Resolved by the Idaho State Board of Education:

WHEREAS, thousands of young men and women in the United States and hundreds of young men and women in Idaho left high school to serve in the armed forces of the United States during World War II; and

WHEREAS, their sacrifices helped to protect our country in time of war; and

WHEREAS, as a result of their sacrifices, our country has become a world leader that has shaped the course of history, and

WHEREAS, many of those veterans, not being able to finish high school, have led productive lives, and have helped build our communities over their lifetimes; and

WHEREAS, Operation Recognition, a national effort locally sponsored by the Division of Veterans Services, seeks the support of the Idaho State Board of Education for this meaningful effort; and

WHEREAS, the State Board of Education has considered the endorsement of this program to encourage Idaho school districts, in conjunction with the Division of Veterans Services, to award high school diplomas to recognize those who left high school to serve our country during World War II.

NOW, THEREFORE, BE IT RESOLVED by the members of the Idaho State Board of Education that Idaho school districts selected by the Division of Veterans Services are hereby encouraged to participate in Operation Recognition ceremonies to award district diplomas honoring and recognizing the sacrifices of World War II veterans.

It was moved by Dr. Howard, seconded by Mr. Eaton and carried (8-0) that the State Board of Education approve the Resolution to support operation Recognition honoring Idaho World War II honorably discharged veterans who were unable to graduate from an Idaho high school due to military service to their country, according to the following guidelines: veterans who would have finished high school with a graduating class of 1941 through 1950, veterans of those classes who have earned a GED in lieu of graduation, and posthumous awards for that same period. (Motion #31)

Mr. Ressler thanked the Board for its support and said that this coming Veterans Day, they would ask schools in Pocatello, Lewiston and Boise participate in a pilot project. Honor Society students will be asked to help put together a committee to go through the news media to find the veterans who did not graduate and on Veterans Day have graduation ceremonies.

H. Waivers for ITBS Testing

In September 1999 the SBOE approved a SDOE administrative procedure to allow districts to request waivers of some of the annual ITBS and TAP tests.

Before the procedure to allow waivers for testing even numbered grades was adopted, Meridian and American Falls school districts requested waivers for particular grades, i.e. Meridian for grades 4, 5, 6, 8, 9 and 10; and American Falls for grades 4, 6, 8 and 10. Those districts requested continuation of the waivers previously approved.

Shelly and Blaine school districts requested new waivers for the testing of certain grades: Shelly for grade 4 and Blaine for grade 3, 4, 6, 8 9 and 10.

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (7-0) to approve a continuation of the ITBS/TAP testing waivers for the 2000-01 academic year requested by the Meridian and American Falls School Districts. (Motion #32)

It was moved by Dr. Howard, seconded by Ms. McGee and carried (7-0) to approve the ITBS testing waiver for grade 4 for the 2000-02 academic year, requested by the Shelly School District. (Motion #33)

Mr. Blake Walsh addressed the Board in support of Blaine County s request for waivers of grades 3, 4, 6, 8, 9 and 10. Dr. West said the SDOE supported all of the waiver requests except for grade 3. They want to continue to have the ITBS/TAP tests for grades 3, 7 and 11 for national norm comparisons across the state.

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (8-0) to approve the ITBS/TAP testing waivers for grades 4, 6, 8, 9 and 10 for the 2000-01 academic year requested by the Blaine County School District. (Motion #34)

I. School to Work Supplemental Administrative Funds

In August 1999, the SBOE accepted a supplemental federal School to Work grant with the provision that the entirety of the grant be distributed to local partnership councils. The SDOE requested reconsideration of that motion to allow ten-percent be used for administrative costs.

Mr. Davis said the August motion authorizing application for the funds was approved on the stipulation that there be no administrative usage of those funds. He felt the need was legitimate, but was not comfortable authorizing any of the funds for administrative costs.

Ms. McGee said the intent of the School to Work program was that after five years, it would be phased out to the local districts. She said she has talked to several Idaho districts and was told they would like to see the money come to them for the program rather than for administrative costs.

It was moved by Dr. Howard and seconded by Mr. Hammond that the State Board of Education approve the request to reverse its decision of August 17, 1999, and to authorize the School to Work program to retain for administrative purposes 10 percent of the supplemental School to Work grant. **The motion failed (1-6) (Mr. Lewis abstained).** (Motion #35)

J. Superintendent s Report

K-8 Standards

Dr. Howard reviewed the process for writing the standards. The first draft of content area standards for math, science, health, language arts and reading, and social studies will be brought to the Board in April.

Mr. Davis asked Dr. Howard to send Board members copies of her comments.

Agenda and materials on file as Exhibit #9 with the Office of the State Board of Education.

ADJOURNMENT: March 16, 5:00 p.m.
March 17, 12:30 p.m.

CERTIFICATION:

The minutes are not verbatim. However, to the best of my knowledge, they constitute a complete and accurate record of the proceedings of the meeting.

Recording Secretary: Vicki E. Barker